

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,

Plaintiff,

v.

K & R BEER AND WINE LLC, et al.,

Defendants.

No. 1:21-cv-01360-DAD-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
MOTION FOR DEFAULT JUDGMENT

(Doc. Nos. 12, 14)

Plaintiff Darren Gilbert filed this suit against defendants K & R Beer & Wine LLC, Kulwinder S. Johal, and Inderjit K. Johal on September 10, 2021, alleging violations of the Americans with Disabilities Act. (Doc. No. 1.) On October 12, 2021, defendants were served with the summons and complaint, and the executed summonses were filed with the court on October 19, 2021. (Doc. Nos. 4–6.) None of the defendants filed an answer, responsive pleading, or otherwise appear in this action. On November 9, 2021, plaintiff filed a request for entry of default against defendants (Doc. No. 7), and default was entered by the Clerk of the Court against defendants (Doc. Nos. 8–10). On November 19, 2021, plaintiff filed the pending motion for default judgment. (Doc. No. 12.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 and Local Rule 302.

On March 8, 2022, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for default judgment be granted. (Doc. No. 14.) The

findings and recommendations provided that any objections thereto were to be filed within fourteen (14) days. (*Id.* at 9.) To date, no objections have been filed and the time for doing so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court conducted a *de novo* review of the case. Having carefully reviewed the file, the court concludes that the findings and recommendations are supported by the record and proper analysis.

Accordingly:

1. The findings and recommendations issued on March 8, 2022 (Doc. No. 14) are adopted in full;
2. Plaintiff's motion for default judgment against defendants (Doc. No. 12) is granted;
3. Default judgment is entered in favor of plaintiff and against defendants K & R Beer & Wine LLC, Kulwinder S. Johal, and Inderjit K. Johal, jointly and severally, in the amount of \$9,760.10, which includes \$4,000.00 in statutory damages and \$5,760.10 in attorneys' fees and costs; and
4. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: March 26, 2022


UNITED STATES DISTRICT JUDGE